

IN THE  
Court of Appeal of the State of California

IN AND FOR THE  
Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Timothy S. Buckley, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

**F037938      People v. Villarreal**

Attorney Roberts stipulated that (1) Buckley, J., the absent assigned justice, participate in the determination of this appeal, and (2) Buckley, J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Matthew D. Roberts, Esq., counsel for appellant. Alison E. Aleman, Deputy Attorney General, counsel for respondent waived oral argument.

Submission deferred until Friday, August 16, 2002, for Buckley, J. to listen to the recording of oral argument.

Court recessed until Monday, August 12, 2002 at 10:00 A.M.

**F040769      Hallman et al. v. Franconi et al.**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F040239      People v. Farpella**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F040959      Barbour et al. v. Sierra Sky Park Property Owners**

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 8(a)(1), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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**F039125      People v. Romero**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F039125      People v. Romero**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038483      People v. Flores**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

**F038483      People v. Flores**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F040015      In re Keon B., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F040015      In re Keon B., a Minor**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F039309      In re Makaylah F., a Minor**

The judgment is dismissed. Gomes, J.

We concur: Buckley, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F038268      In re Michael C., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F038268      In re Michael C., a Minor**

The matter is remanded. The trial court shall clarify the judgment consistent with this opinion and prepare a corrected abstract of judgment and shall submit the corrected abstract of judgment to the appropriate entities.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F037202      People v. Gregory**

The order filed on August 7, 2002, was the result of clerical inadvertence. Said order is vacated.

The opinion filed on July 10, 2002, is reinstated nunc pro tunc as having been filed on July 10, 2002. [Citation]

Upon this court's own motion and pursuant to respondent's petition, rehearing is granted in the above entitled appeal. The submission of the above entitled cause for decision is vacated because the petition for rehearing was not filed until August 6, 2002, the opinion would otherwise become final on August 9, 2002, and this court has determined that the petition should be granted to allow appellant to reply and the matter to be reconsidered upon said pleadings. The cause is resubmitted for decision. (Cal. Rules of Court, rule 22.5.) This order is deemed entered nunc pro tunc as of August 7, 2002, in place of the order described in the first paragraph of this order. [Citation]

Appellant, the People of the State of California, is granted leave to file, on or before 10 days from the date of this order, a reply to the petition for rehearing limited to the question whether the Disposition in the Opinion was correct. A determination whether a new oral argument is necessary is deferred pending consideration of the parties' papers.

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**F037179      People v. Jackson**

The judgment is affirmed with modifications. Harris, J.

We concur: Dibiaso, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041159      Hannink v. Tronis**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F040007      In re Ryan S., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F040007      In re Ryan S., a Minor**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F040250      People v. Fambrough**

No brief having been filed by appellant after notice duly given under rule 37(b) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.